

Independent Ombudsman for the Texas Juvenile Justice Department



First Quarter Report FY 19
September 1, 2018 to November 30, 2018

INTRODUCTION

This is the first Quarterly Report for Fiscal Year (FY) 2019 to be submitted by the Office of Independent Ombudsman for the Texas Juvenile Justice Department (TJJD) as per the Texas Human Resources Code, Chapter 261. This report is intended for the Governor, Lieutenant Governor, Speaker of the House, members of the State Legislature, the TJJD Governing Board, the TJJD Executive Director, and the Texas State Auditor. This report will cover the reporting period of September 2018 through November 2018. It should be noted, this is not an all-inclusive report, but rather a summary of significant findings during the reporting period.

STRATEGIC INTENT

The Office of Independent Ombudsman (OIO) was established for the purpose of investigating, evaluating, and securing the rights of children committed to the Juvenile Justice Department, including a child released under supervision before final discharge. Legislation enacted during the 84th Legislative Session (Senate Bill 1630), expanded those duties to include county post-adjudication facilities and contract facilities where county post-adjudicated youth are placed. To fulfill the duties of the office, OIO staff regularly visit all TJJD secure facilities, halfway houses, parole offices, all county post-adjudication facilities and county contract care programs. Currently, the Office of Independent Ombudsman is conducting regular site visits at 116 facilities and probation/parole offices that meet the definition added by Senate Bill 1630, 84th Legislative Session.

EXECUTIVE SUMMARY

During this reporting period, the Office of Independent Ombudsman conducted 136 facility site visits, interviewed 1150 youth offenders, and closed nine cases (Refer to the Annex for a listing of facility site visit locations). During this quarter the OIO received 14 complaints, which represents a 72% decrease when compared to the first quarter of FY 18. It should be noted, complaints received during youth interviews decreased by 83.33% when compared to the first quarter of FY 18. In addition, the OIO closed nine cases this quarter with significant changes noted in the number and types of complaints investigated and resolved. For example, complaints regarding safety concerns decreased by 80% and complaints regarding MLOS/release date decreased by 91.67% when compared to the first quarter of FY 18. It should be noted, of the nine cases closed this quarter, three cases were completed as sustained.

During this quarter increasing population levels at State secure facilities combined with staff shortages and with high turnover rates are of significant concern. Juvenile Correction Officers available for duty are at or near 60% of the total number of allotted positions for the Gainesville State School and the McLennan County State Juvenile Correctional Facility (Mart II) (For more information refer to page 9).

On November 29, 2018, youth offenders at the Gainesville State School caused major disruptions to facility operations that continued through December 4th. The most significant disruption occurred in the evening hours of November 30th where multiple youth offenders in multiple dorms caused a major campus-wide disruption of facility operations including fleeing apprehension, youth on staff assaults, youth on youth assaults and destruction of property. (For more information refer to page 9-10)

PUBLIC OUTREACH

The Office of Independent Ombudsman (OIO) is required by statute to promote awareness of the Office and the services provided. This is accomplished through various initiatives. The

Ombudsman routinely meets with civic and advocacy groups to discuss issues, trends in juvenile justice and concerns with youth rights. In addition, the Office of Independent Ombudsman maintains a public web page describing the duties of the Office and how the Ombudsman may be contacted, either by phone, mail or e-mail. In addition, the OIO periodically mails informational brochures regarding services of the OIO to the parents of youth newly committed to TJJD. In order to facilitate contact from youth in the facilities as well as the public, the OIO maintains a hotline that is answered 24 hours a day. The Deputy Ombudsman distribute posters containing the OIO's hotline number to the facilities that are routinely visited as well as educating youth on complaint procedures.

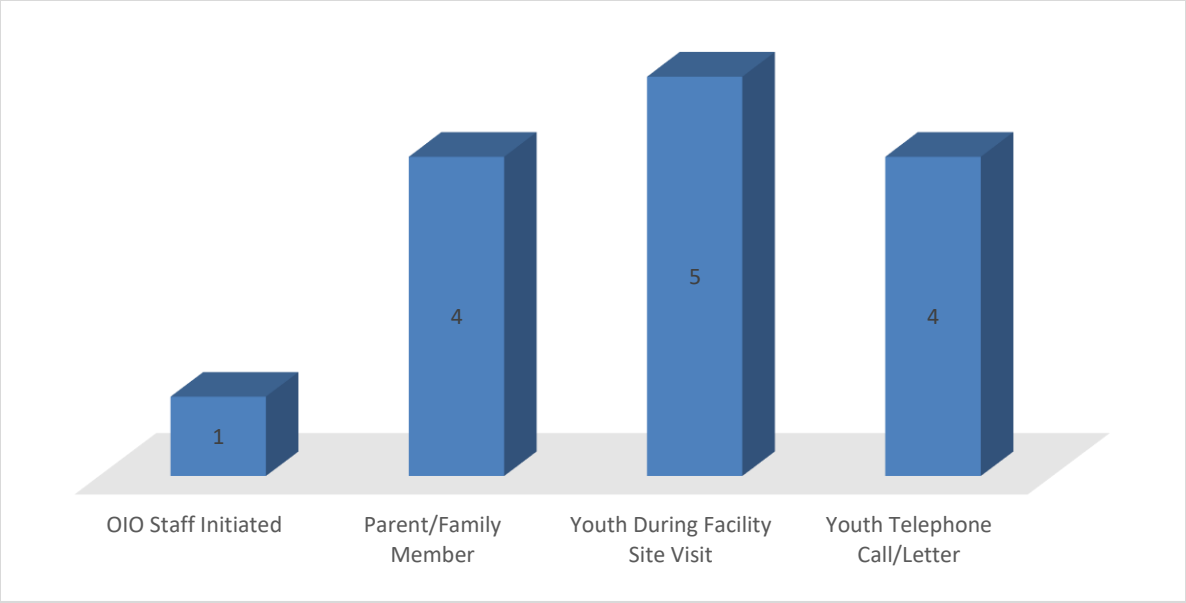
OPERATIONAL ACTIVITIES

Accounting of Site Visits, Youth Contact and Individual Cases

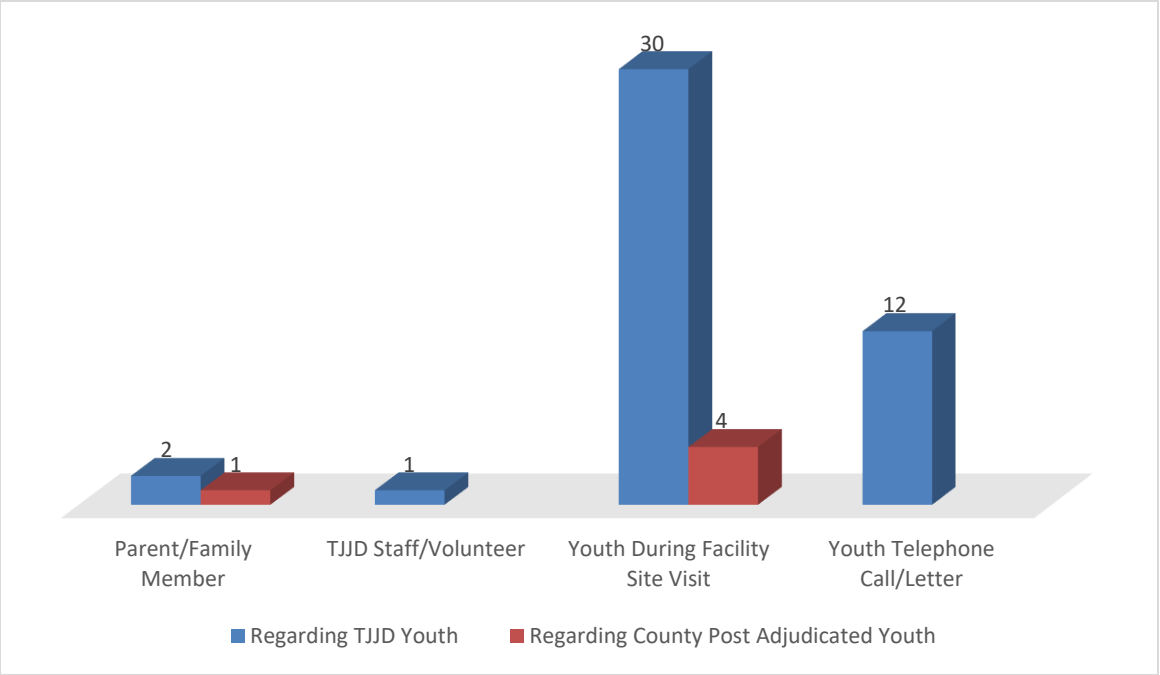
	1st Quarter FY18	4th Quarter FY18	1st Quarter FY19	FY19 Total
TJJD/Contract Site Visits	61	44	61	61
County Post Adjudicated/Contract Facility Site Visits	102	72	75	75
Number of Youth Interviewed	1239	1050	1150	1150
Number of Youth Interviews Conducted	1518	1250	1409	1409
Closed Cases	62	10	9	9

During the first quarter of FY 19, the OIO received 14 complaints, all 14 involved TJJD youth and none involved county post-adjudicated youth. When compared to the number of complaints received during the first quarter of FY 18, this represents a 72% decrease. It should be noted, complaints received from youth offenders during facility site visits decreased by 83.33% as compared to the complaints received during the same time period in FY 18.

Complaints Received-First Quarter FY 19



Complaints Received-First Quarter FY 18



Complaints Received by Facility-First Quarter FY 19

	Total for Facility	MLOS/Release Date Medical	Rule or Policy	Safety Concerns
TJJD/Contract Facilities				
Evins RJC	2			2
Gainesville State School	1	1		
Giddings State School	4		2	2
McFadden Ranch	1	1		
Phoenix Program	2	1		1
Ron Jackson SJCC	3			3
Schaeffer House	1			1

Complaints Received by Facility-First Quarter FY 18

	Total for Facility	Education	MLOS/Release Date Medical	Other	Religion	Rule or Policy	Safety Concerns	Specialized Treatment	Staff Conduct
TJJD/Contract Facilities									
Ayres House	1				1				
Brownwood House	1							1	
Evins RJC	3		1		1	1			
Gainesville State School	13	2	1	2	2	1		1	3
Giddings State School	4	1	1	1				1	
McLennan County SJCF	12		4	4			3	1	
McLennan RTC	2				1			1	
Ron Jackson SJCC	7		2		2		3		
Willoughby House	2							2	
County/Contract Facilities									
Meurer Intermediate Sanctions Center & Halfway House		2							1
Victoria Regional Juvenile Justice Facility							1		
Willoughby Juvenile Services			1						

Closed Cases

The OIO closed nine cases during the first quarter of FY 19, eight involving TJJD youth and one involving county post-adjudicated youth. When compared to the first quarter of FY 18, this represents an overall decrease of 85.48%, with significant changes in the MLOS/Release Date and Safety Concerns categories. It should be noted, of the nine cases closed this quarter, three were completed as sustained.

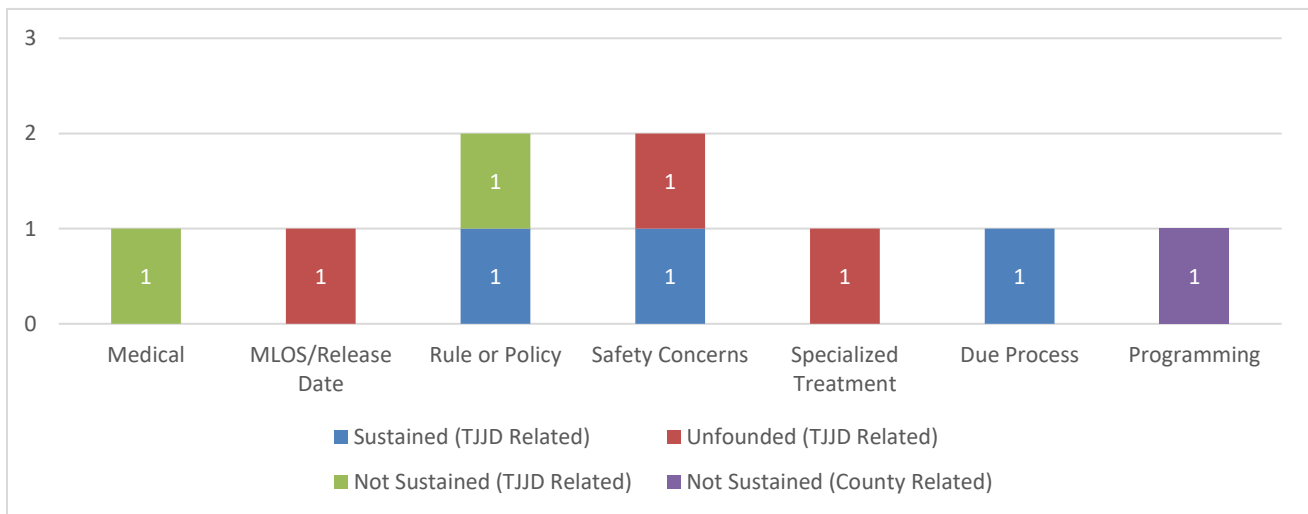
Sustained-There is sufficient corroborated information to warrant noting and a follow-up response/action plan from the facility.

Not Sustained-There is insufficient information or evidence to prove or disprove the allegation.

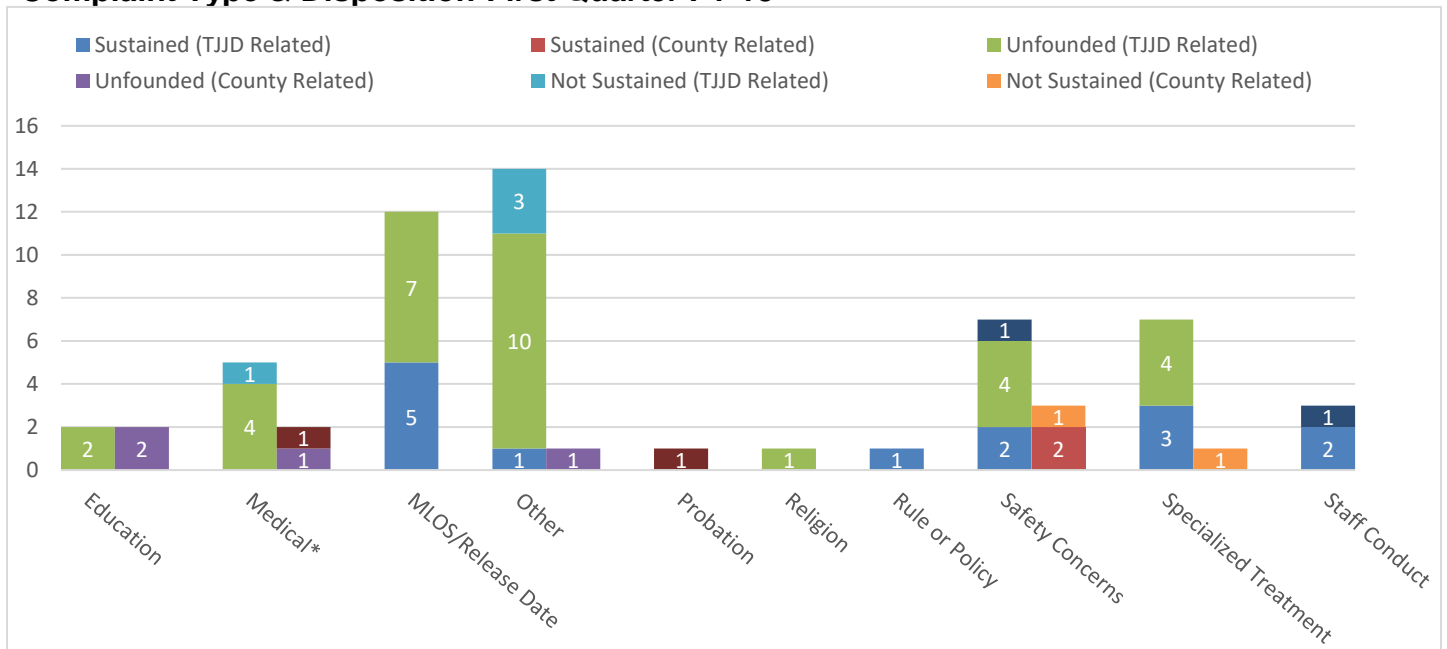
Unfounded-The complaint is without merit or is within applicable law or policy.

Not within OIO Scope: The complaint is non-criminal in nature and after review, is determined to be outside the duties of the OIO.

Complaint Type & Disposition-First Quarter FY 19



Complaint Type & Disposition-First Quarter FY 18

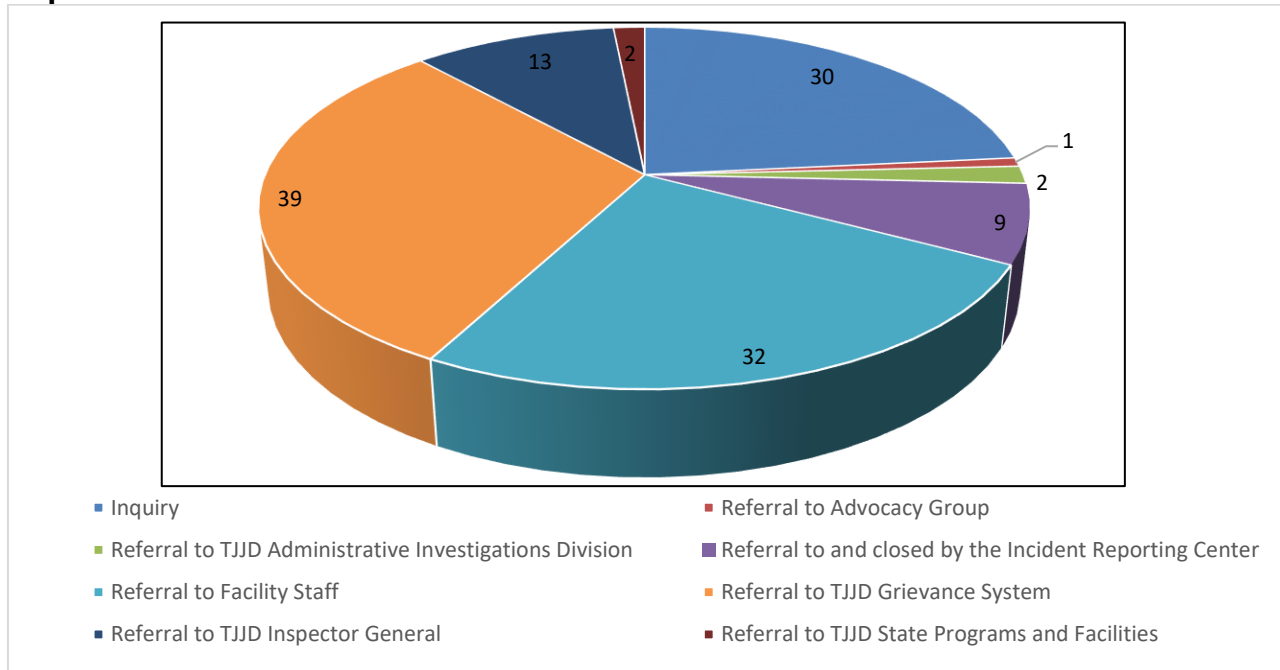


Note: The Independent Ombudsman generally does not make findings regarding the quality or appropriateness of the care delivered. Unless otherwise noted, the medical cases in this report involve only issues of access to health care services.

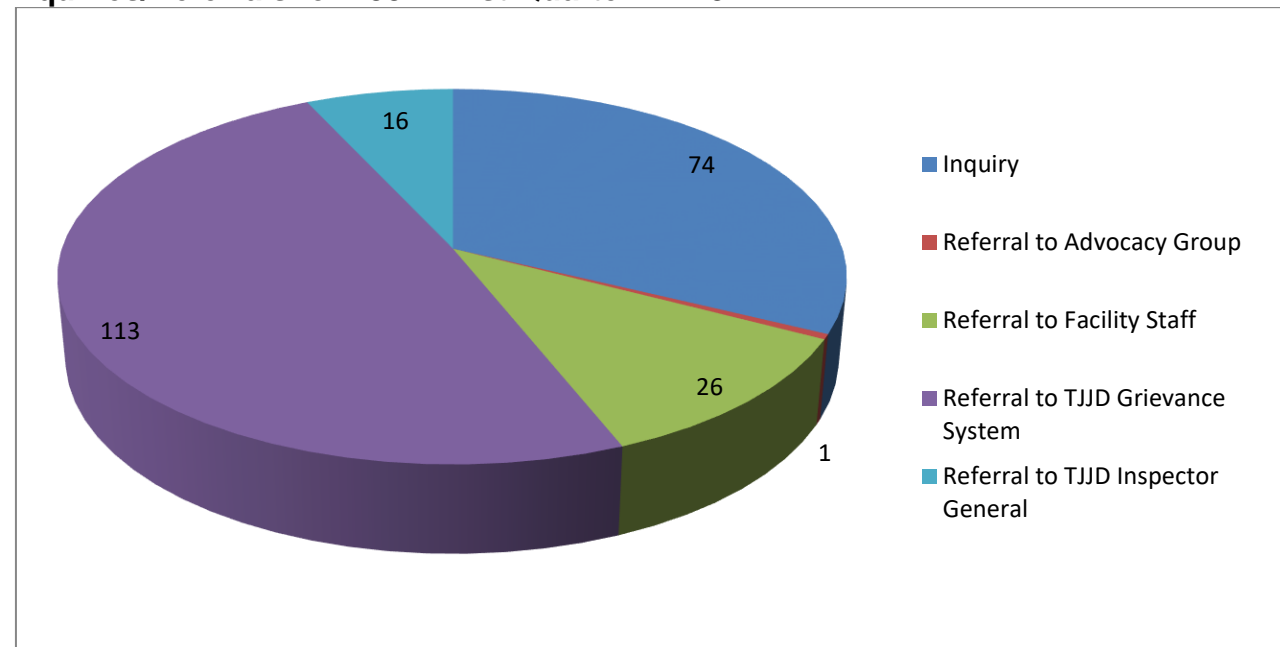
Inquiries and Referrals

The OIO receives numerous inquiries and complaints that upon review are either outside the scope of the OIO, a matter that should be addressed by facility staff or grievance process, or would be better addressed by another agency or group. The OIO received 175 inquiries and referrals during the first quarter of FY 19, 128 related to TJJD and 47 related to county post-adjudicated facilities. When compared to the first quarter of FY 18, this represents a decrease of 44.35% for TJJD facilities and a decrease of 12.96% for county post-adjudicated facilities.

Inquiries/Referrals for TJJD-First Quarter FY 19



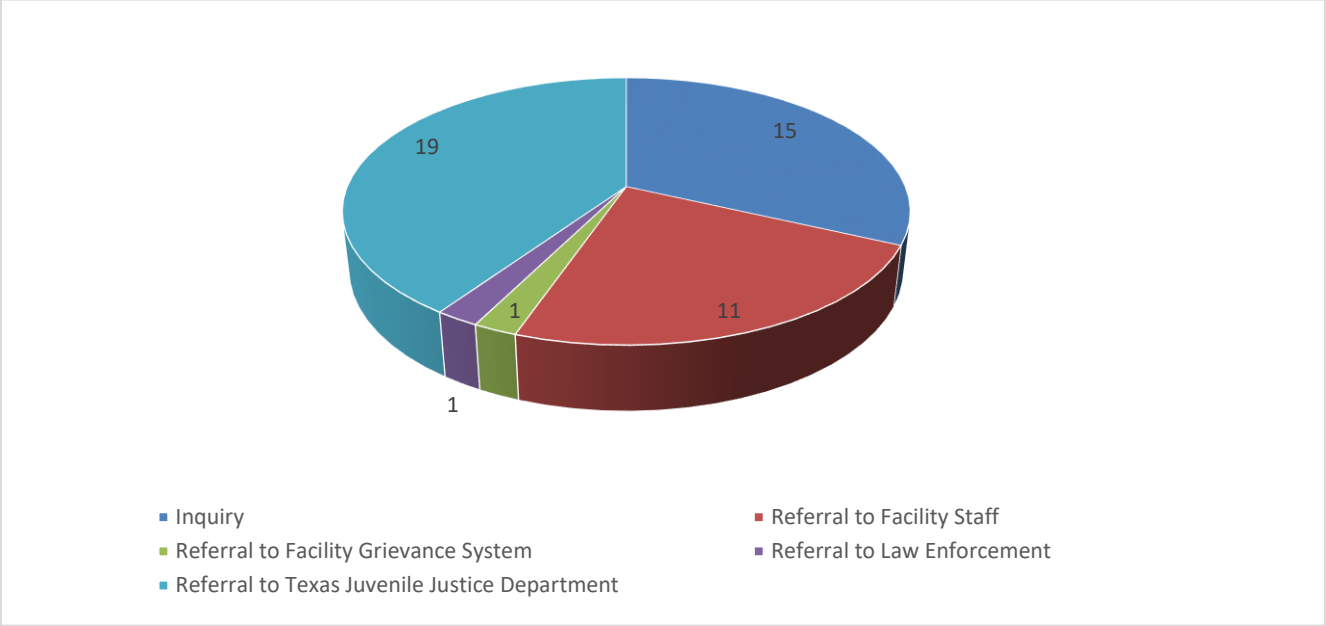
Inquiries/Referrals for TJJD-First Quarter FY 18



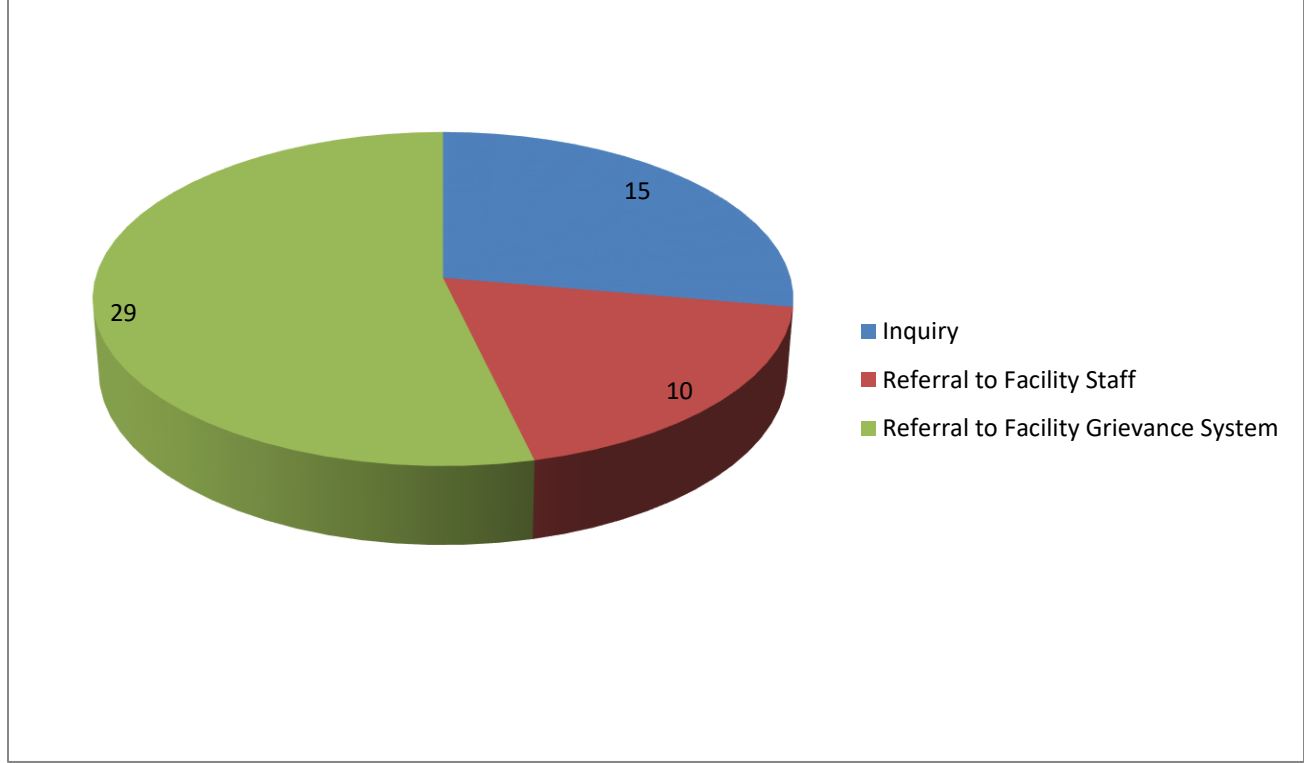
Referrals to Office of Inspector General (OIG)-Allegations that are criminal in nature are referred to OIG for investigation.

Referrals to TJJD Administrative Investigation Division (AID)-Allegations of staff misconduct related to policy violations are referred to AID.

Inquiries/Referrals for County Post-Adjudicated Facilities-First Quarter FY 19



Inquiries/Referrals for County Post-Adjudicated Facilities-First Quarter FY 18

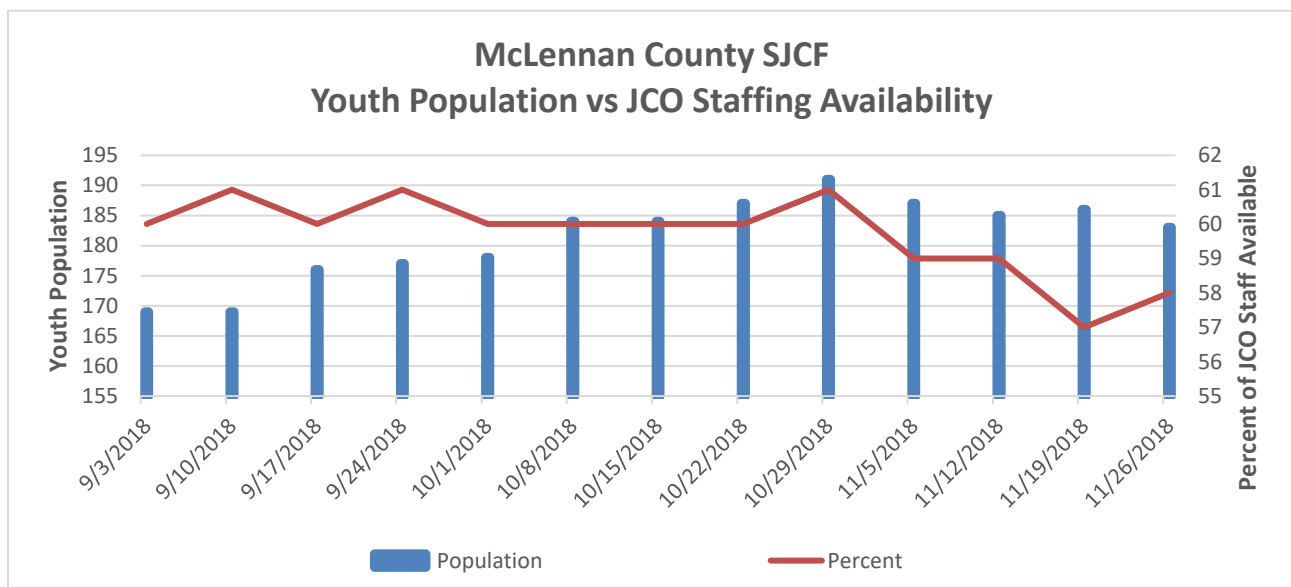


Significant Issues Identified During Site Visits

The Office of Independent Ombudsman is appreciative of the collaboration by TJJD Executive Leadership, facility administrators and program directors in developing action plans to address concerns that are brought forward during the facility site visits. In some instances items noted during visits warrant mention due to the nature of the issue for transparency and visibility. In other cases, items of a significant concern have been identified and facility action has resulted in positive actions improving conditions within the facility. This is not an all-inclusive list, but a representative sample of significant issues identified during the last Quarter.

McLennan County State Juvenile Correctional Facility (Mart II)

Mart II is a TJJD secure facility with a current population of 157 male residents. The facility offers Alcohol, Drugs, Violent Offender, and Sexual Behavior treatment programs. Gang activity remains a significant concern. JCO shortages continue to be a concern at this facility as JCO personnel continue to inform OIO of back to back shifts without adequate time off and increases in overtime. According to facility records as of July 2018, the facility had 67 JCO vacancies with a total of 86 JCO's unavailable for duty, leaving an average of 61% of the JCO staff available for work assignments. The below graph indicates a comparative analysis over time of the available JCO staff as it relates to the population levels during the last quarter.



Gainesville State School

Gainesville State School is a TJJD secure facility with a current population of 164 male residents. The facility offers Alcohol, Drugs, Violent Offender, and Sexual Behavior treatment programs. Beginning on or about November 29, 2018, youth offenders in multiple dorms caused a major campus-wide disruption of facility operations. This disruptive behavior continued through December 4th. The most significant disruption occurred in the evening hours of November 30th, where youth offenders in multiple dorms initiated a coordinated effort to activate fire alarms thereby releasing the internal and external door lock mechanisms resulting in multiple youth offenders fleeing apprehension and causing disruptions across the campus. Disruptions included youth on staff assaults, youth on youth assaults and destruction of property. TJJD Executive management took decisive action by mandating a facility wide shut down and assigning additional personnel from other facilities to support ongoing operations and prevent further disruptions. The OIO responded to the facility on December 12th and 13th and conducted a review of operations. Based

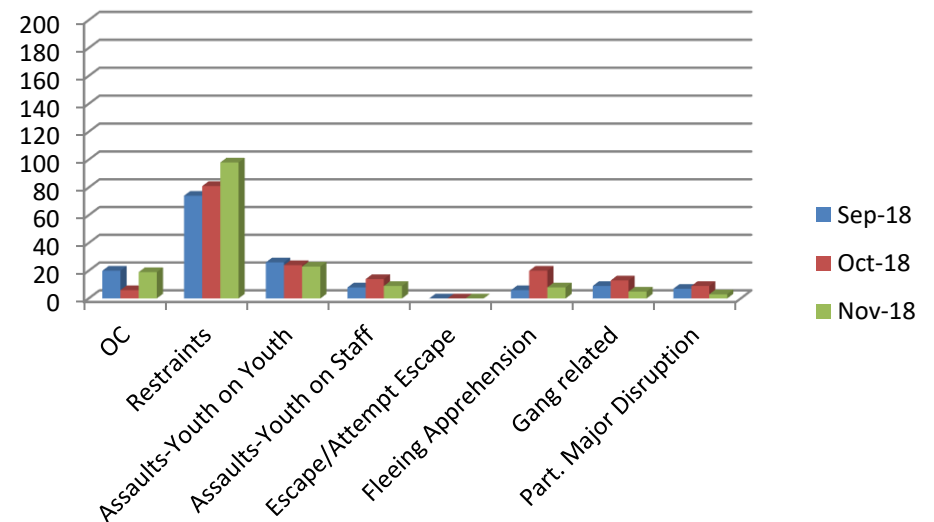
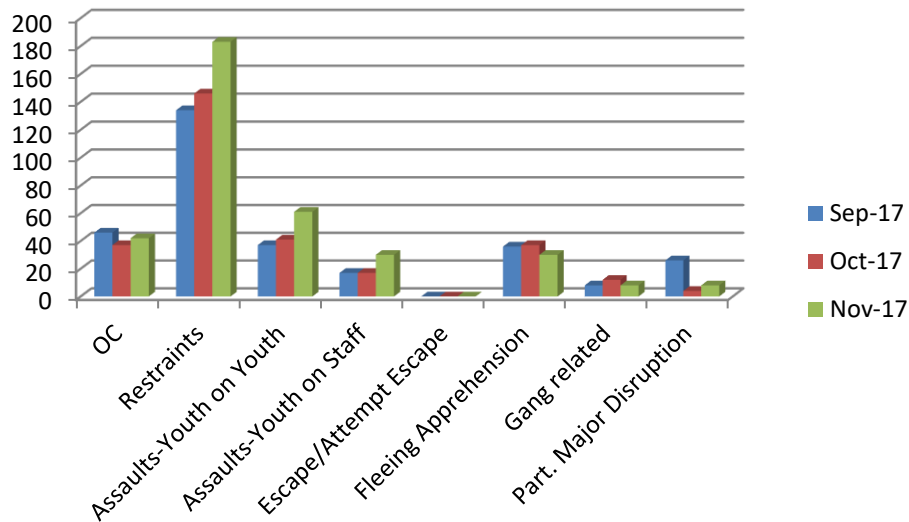
upon interviews conducted with youth and staff, the OIO was able to identify 3 primary reasons for the campus wide disruptions: 1) gang-related conflicts; 2) boredom – lack of activities and continued or extended confinement in rooms; and 3) a form of protest to call attention to issues on campus. Examples of the issues on campus included case management issues, failure to respond to youth complaints (not grievances), feeling that no one was listening to their concerns, and staff shortages that youth felt negatively impacted them. The OIO will continue to monitor this situation more closely in the coming months.

INCIDENT TRENDS FOR TJJD SECURE FACILITIES

The OIO reviews on a monthly basis at the secure correctional facilities the number of incidents involving the use of OC pepper spray, the number of youth restrained, assaults involving youth on youth and youth on staff, escapes and attempted escapes, fleeing apprehensions, gang activities, and major disruptions. These metrics give the OIO some indication of the environment related to the safety and security of all the youth offenders as well as the staff within a particular facility. These metrics are by no means an absolute indicator and should be taken into context and combined with other factors when drawing conclusions regarding a particular facility.

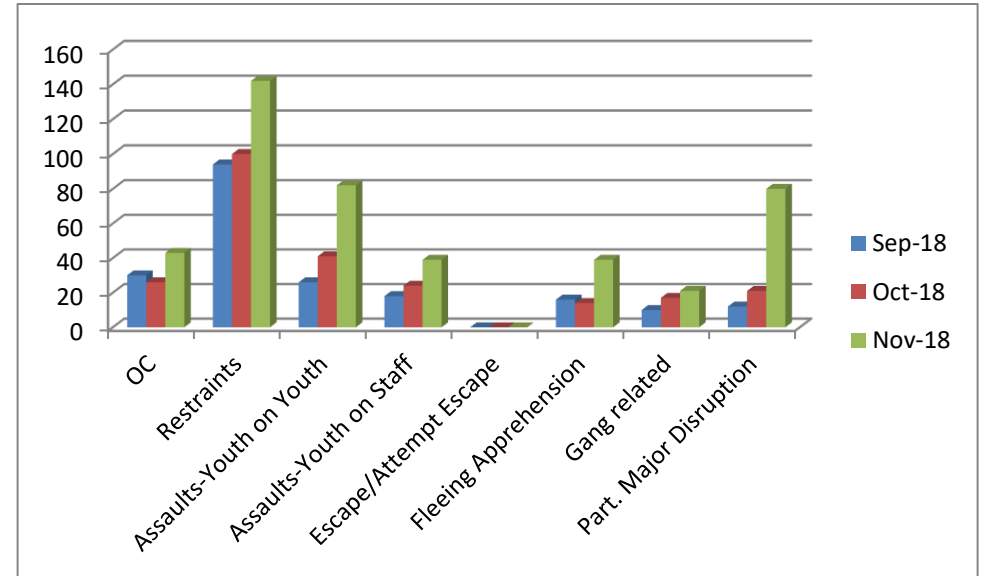
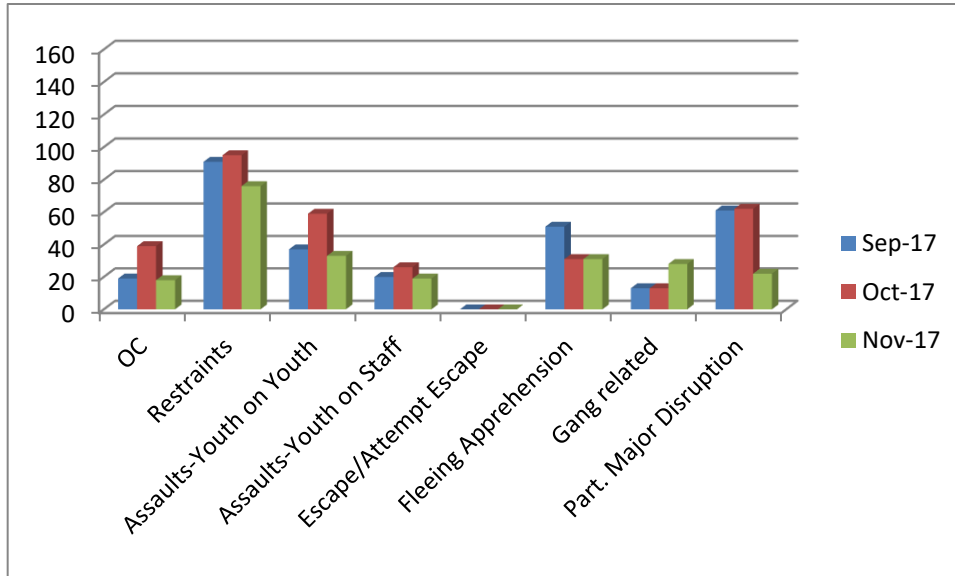
Evins RJC

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	46	37	42		20	6	19
Restraints	134	146	183		74	81	98
Assaults-Youth on Youth	37	41	61		26	24	23
Assaults-Youth on Staff	17	17	30		8	14	9
Escape/Attempt Escape	0	0	0		0	0	0
Fleeing Apprehension	36	37	30		6	20	8
Gang related	8	12	8		9	13	5
Part. Major Disruption	26	4	8		7	9	3



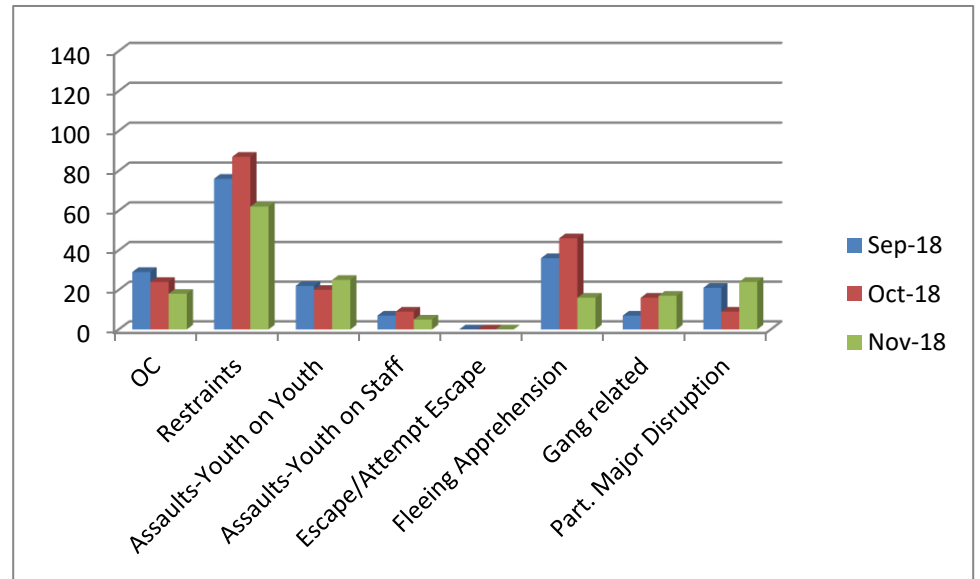
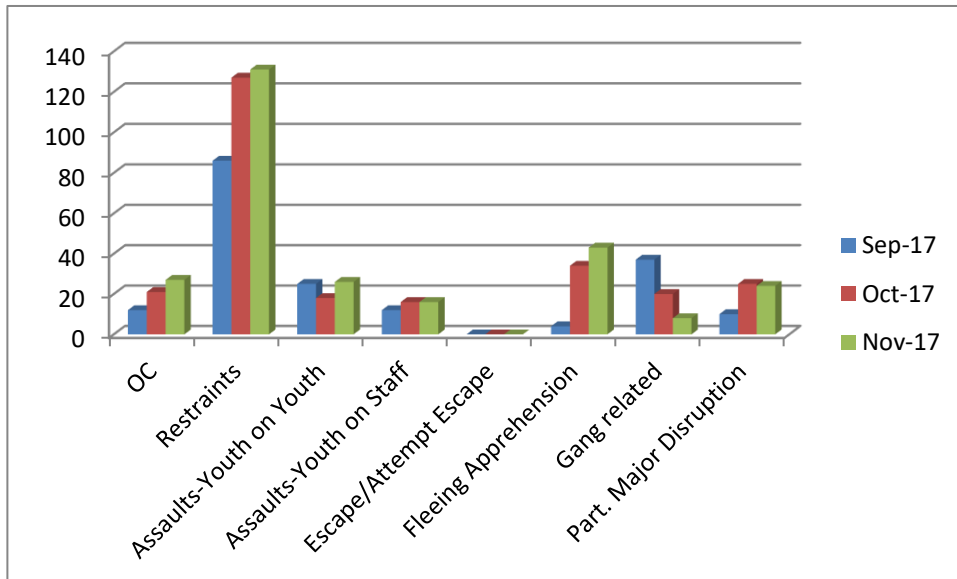
Gainesville State School

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	19	39	18		30	26	43
Restraints	91	95	76		94	100	142
Assaults-Youth on Youth	37	59	33		26	41	82
Assaults-Youth on Staff	20	26	19		18	24	39
Escape/Attempt Escape	0	0	0		0	0	0
Fleeing Apprehension	51	31	31		16	14	39
Gang related	13	13	28		10	17	21
Part. Major Disruption	61	62	22		12	21	80



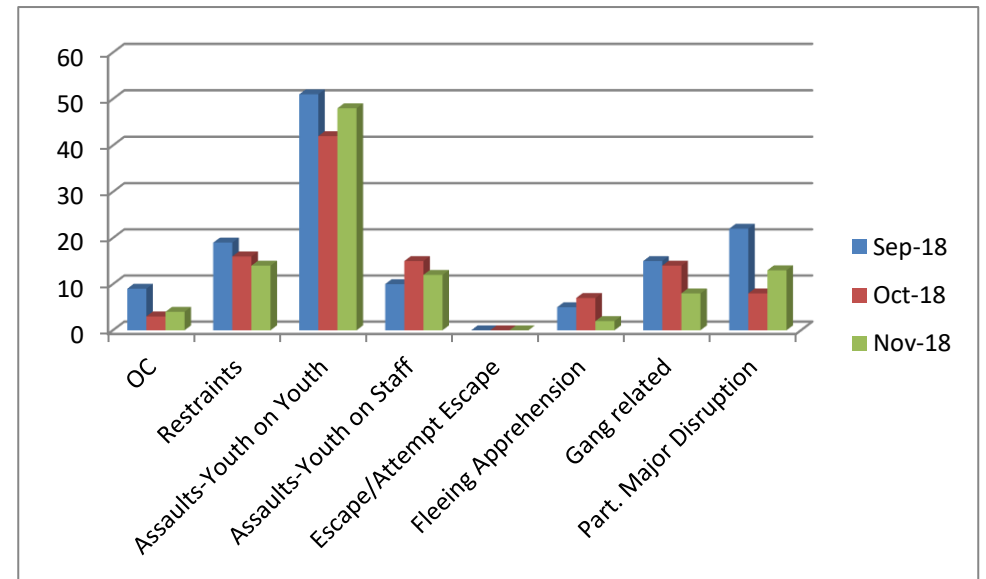
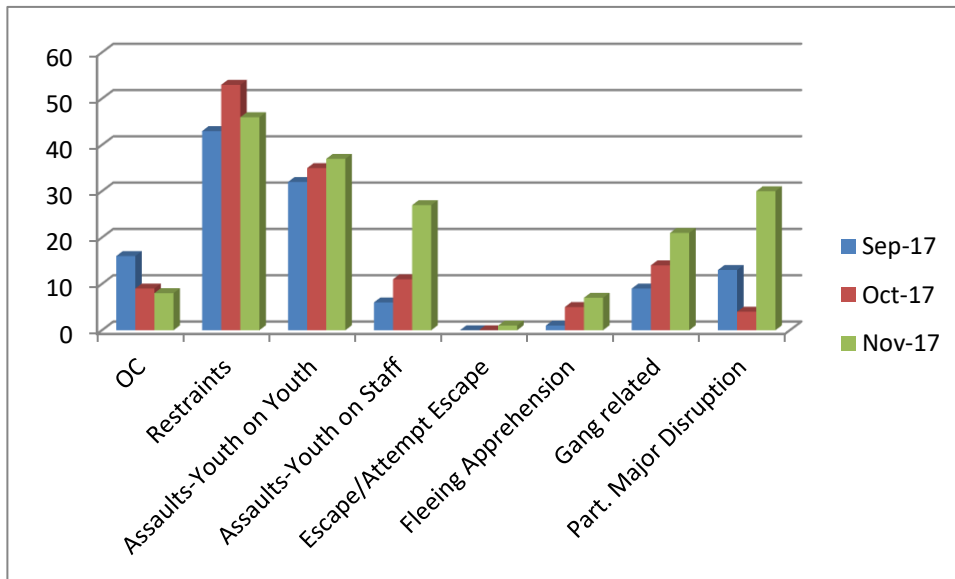
Giddings State School

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	12	21	27		29	24	18
Restraints	86	127	131		76	87	62
Assaults-Youth on Youth	25	18	26		22	20	25
Assaults-Youth on Staff	12	16	16		7	9	5
Escape/Attempt Escape	0	0	0		0	0	0
Fleeing Apprehension	4	34	43		36	46	16
Gang related	37	20	8		7	16	17
Part. Major Disruption	10	25	24		21	9	24



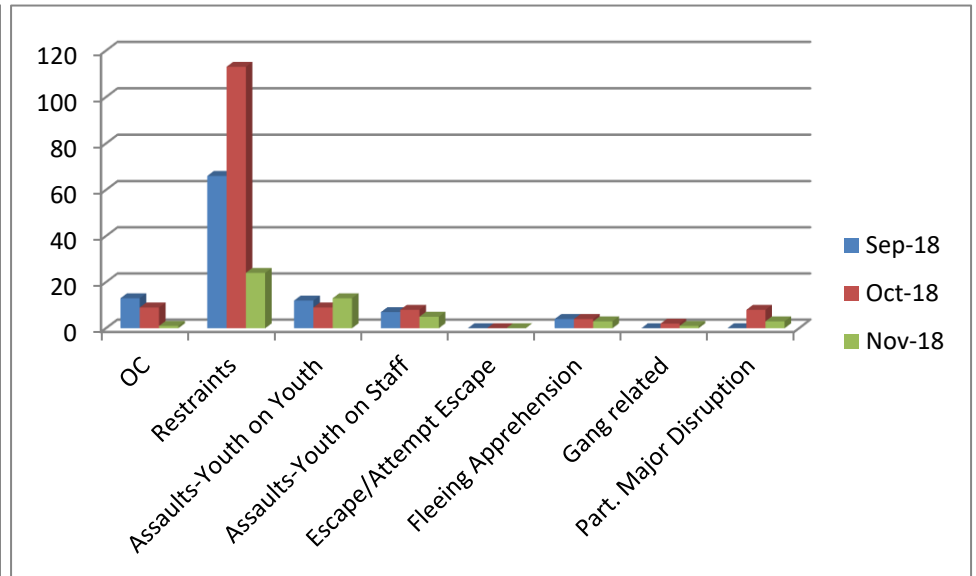
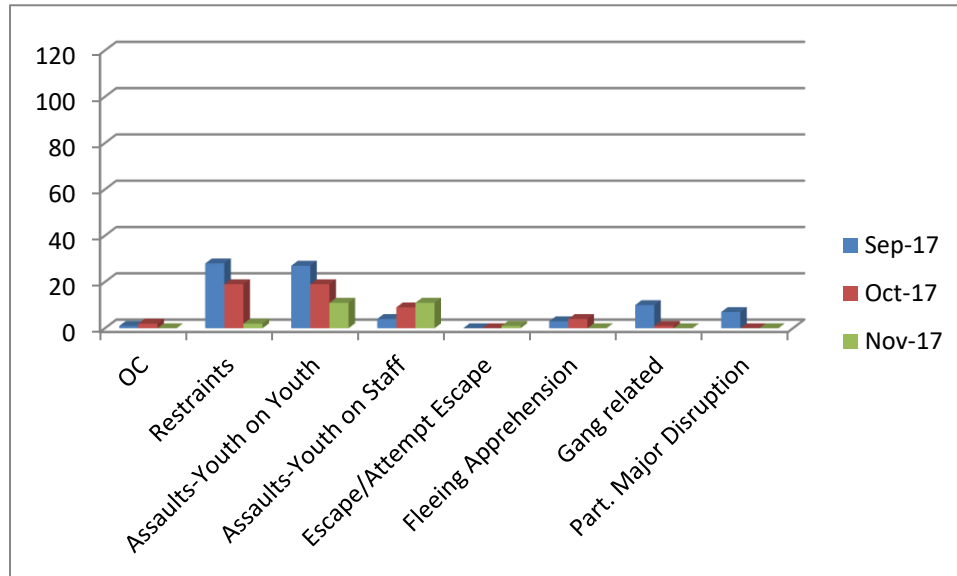
McLennan County SJCF

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	16	9	8		9	3	4
Restraints	43	53	46		19	16	14
Assaults-Youth on Youth	32	35	37		51	42	48
Assaults-Youth on Staff	6	11	27		10	15	12
Escape/Attempt Escape	0	0	1		0	0	0
Fleeing Apprehension	1	5	7		5	7	2
Gang related	9	14	21		15	14	8
Part. Major Disruption	13	4	30		22	8	13



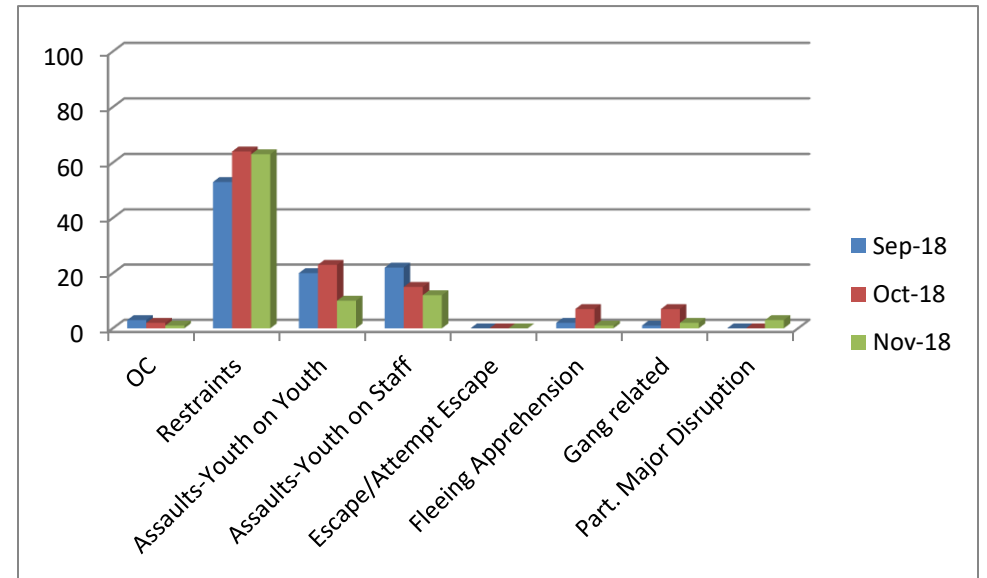
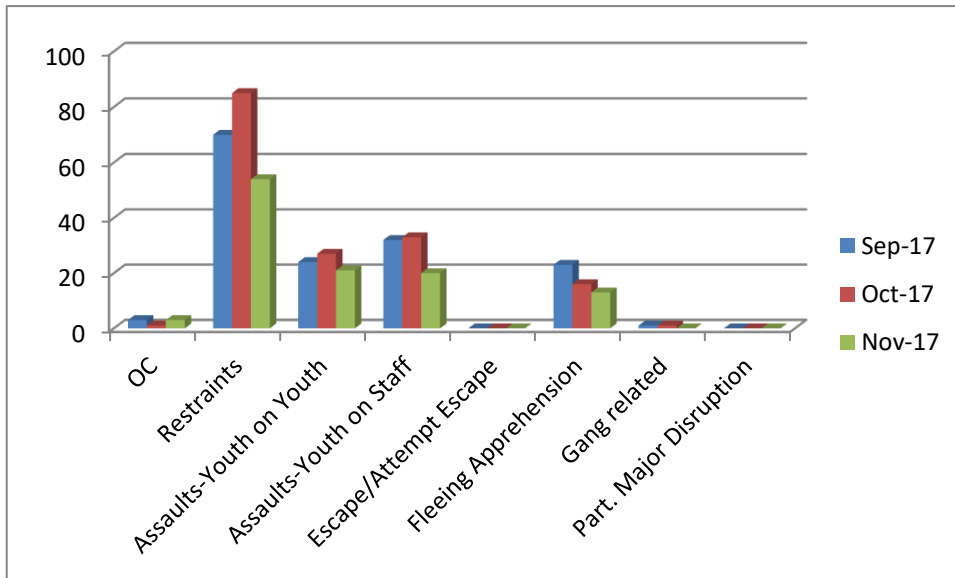
McLennan RTC

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	1	2	0		13	9	1
Restraints	28	19	2		66	113	24
Assaults-Youth on Youth	27	19	11		12	9	13
Assaults-Youth on Staff	4	9	11		7	8	5
Escape/Attempt Escape	0	0	1		0	0	0
Fleeing Apprehension	3	4	0		4	4	3
Gang related	10	1	0		0	2	1
Part. Major Disruption	7	0	0		0	8	3



Ron Jackson SJCC

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	3	1	3		3	2	1
Restraints	70	85	54		53	64	63
Assaults-Youth on Youth	24	27	21		20	23	10
Assaults-Youth on Staff	32	33	20		22	15	12
Escape/Attempt Escape	0	0	0		0	0	0
Fleeing Apprehension	23	16	13		2	7	1
Gang related	1	1	0		1	7	2
Part. Major Disruption	0	0	0		0	0	3



Phoenix Program

The Phoenix Program is designed to protect staff and youth in TJJD state-operated facilities from highly aggressive youth. The Phoenix Program provides these aggressive youth with a highly structured environment designed to reduce their aggression and to help them progress in treatment. This program currently houses 13 youth offenders and is located on the McLennan County SJCF campus.

	Sep-17	Oct-17	Nov-17		Sep-18	Oct-18	Nov-18
OC	1	0	3		0	1	0
Restraints	4	7	8		38	32	9
Assaults-Youth on Youth	2	1	2		5	9	1
Assaults-Youth on Staff	1	1	1		7	9	3
Escape/Attempt Escape	0	0	0		0	0	0
Fleeing Apprehension	0	0	0		0	0	0
Gang related	1	1	0		0	0	0
Part. Major Disruption	0	0	0		0	2	0

JD Robertson, Chief
Office of the Independent Ombudsman
For the Texas Juvenile Justice Department
11209 Metric Blvd. Bldg. H Austin, TX 78758
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ANNEX

TJJD facilities visited by IO staff during the first quarter

Secure Facilities

Evins Regional Juvenile Center-*Edinburg TX*
Gainesville State School-*Gainesville TX*
Giddings State School-*Giddings TX*
McLennan County State Juvenile Correctional Facility-*Mart TX*
McLennan Residential Treatment Center-*Mart TX*
Ron Jackson State Juvenile Correctional Complex -*Brownwood TX*

TJJD Halfway Houses

Ayres House-*San Antonio TX*
Brownwood Halfway House-*Brownwood TX*
Cottrell House-*Dallas TX*
Edna Tamayo House-*Harlingen TX*
McFadden Ranch-*Roanoke TX*
Schaeffer House-*El Paso TX*
Willoughby House-*Fort Worth TX*

Contract Care Facilities

Amikids, dba Rio Grande Valley-*Los Fresnos TX*
Garza County Regional Juvenile Center-*Post TX*
Gulf Coast Trades Center-*New Waverly TX*
Pegasus School RTC-*Lockhart TX*
Rite of Passage, Inc-*Granbury TX*
Therapeutic Family Life-*Elmendorf TX*
TrueCore Behavioral Solutions-*Brownwood*

Parole

Amarillo District Location
Austin District Location
Dallas District Location
El Paso District Location
Fort Worth District Location
Harlingen District Location
Houston District Location
Lubbock District Location
Midland District Location
San Antonio District Location
Temple District Location
Tyler District Location

County post-adjudicated facilities visited by IO staff during the first quarter

County Operated

Amador R Rodriguez Boot Camp & Educational Center-*San Benito TX (Cameron County)*
Bell County Juvenile Services Center-*Killeen TX*
Bill Logue Juvenile Justice Center-*Waco TX (McLennan County)*
Brazoria County Juvenile Detention-*Angleton TX*
Burnett Bayland Rehabilitation Center-*Houston TX (Harris County)*
Cyndi Taylor Krier Juvenile Correctional Treatment-*San Antonio TX (Bexar County)*
Dallas County Residential Programs and Drug Treatment-*Dallas TX*
Dallas County Successful Thinking and Responsible Sexuality-*Dallas TX*
Dallas County Youth Village-*Dallas TX*
Denton County Secure Correctional Facility-*Denton TX*
Ector County Youth Center-*Odessa TX*
Fort Bend County Juvenile Leadership Academy-Secure-*Richmond TX*
Grayson County Post-Adjudication Facility-*Denison TX*
H.O.P.E. Academy-*Tyler TX (Smith County)*
Harris County Youth Village-*Seabrook TX*
Hays County Juvenile Post-Detention Center-*San Marcos TX*
Jerry J. Esmond Juvenile Justice Center-*Galveston TX (Dickinson County)*
John R. Roach Juvenile Detention Center-*McKinney TX (Collin County)*
Judge Mario E. Ramirez Jr. Juvenile Justice Center-*Weslaco TX (Hidalgo County)*
Judge Ricardo H. Garcia Regional Juv. Detention-*San Diego TX (Duval County)*
L.I.F.E. & B.R.A.V.E. Residential Program-*San Benito TX (Cameron County)*
Leadership Academy-*Katy TX (Harris County)*
Letot Residential Treatment Center-*Dallas TX (Dallas County)*
Lubbock County Juvenile Justice Center-*Lubbock TX*
Lyle B. Medlock Treatment Facility-*Dallas TX (Dallas County)*
Marzelle Hill Transition Center-*Dallas TX (Dallas County)*
Meurer Intermediate Sanctions Center & Halfway House-*Austin TX (Travis County)*
Parent Adolescent Center-*Floydada TX (Floyd County)*
Robert N. Barnes Regional Juvenile Facility-*Corpus Christi TX (Nueces County)*
Samuel F. Santana Challenge Program-*El Paso TX (El Paso County)*
The Youth Center of the High Plains-*Amarillo TX (Randall County)*
Van Zandt County Youth Multi-Service Center-*Grand Saline TX*
Victoria Regional Juvenile Justice Facility-*Victoria TX*
Williamson County C.O.R.E. Program-*Georgetown TX*
Willoughby Juvenile Services-*Marshall TX*

Contract Care Facilities for Post Adjudicated

Abraxas Hector Garza Center-*San Antonio TX*
Arms of Hope-*Medina TX*
Athletes for Change-*Glenn Heights TX*
Austin State Hospital-*Austin TX*
Azleway Children's Services-*Tyler TX*
Azleway Drug Treatment Program-*Big Sandy TX*
Bridge Emergency Shelter-*San Antonio TX*
Brookhaven Youth Ranch-*West TX*
Cal Farley's Boys & Girls Ranch-*Amarillo TX*
Carter's Kids Residential Treatment Center-*Richmond TX*
Center for Success and Independence-*Houston TX*
Center for Success and Independence-*Rockdale TX*
Cherokee Home for Children-*Cherokee TX*

Concho Valley Home for Girls-*San Angelo TX*
Everyday Life RTC-*Bryan TX*
Freedom Place-*Spring TX*
Krause Children's Center-*Katy TX*
Meadowland-Roy Maas Youth Alternatives-*Boerne TX*
Methodist Home-*Waco TX*
MHMR-Tarrant County-*Fort Worth TX*
New Horizons, Audrey Grace House-*Abilene TX*
New Horizons, The Ranch-*Goldthwaite TX*
New Life Children's Home-*Canyon Lake TX*
North Texas State Hospital-*Vernon TX*
North Texas State Hospital-*Wichita Falls TX*
Odyssey House-*Houston TX*
Pathways Wilderness Program-*Mountain Home TX*
Phoenix House-*Austin TX*
Reed Adolescent Center-*Plainview TX*
San Antonio State Hospital
San Marcos Treatment Center-*San Marcos TX*
Selena Center Youth Potential-*San Antonio TX*
Shoreline RTC-*Taft TX*
West Texas Boys Ranch-*San Angelo TX*
Willow Bend-*Tyler TX*